

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

THURSDAY, THE 4TH JANUARY 2007 / 14TH POUSHA, 1928

WP(C).No. 13767 of 2005(L)

PETITIONER:

MADAMBARA MOIDEEN, S/O.SAIDALI,
ARAKKUPARAMBU, PERINTALMANNA.

BY ADV. SRI.P.SAMSUDIN

RESPONDENTS:

1. THE PERINTALMANNA CO.OPERATIVE
AGRICULTURAL AND RURAL DEVELOPMENT BANK LTD.
NO.505, REPRESENTED BY ITS BRANCH MANAGER,
UCHARAKKADAVU, MELATTUR.
2. THE BRANCH MANAGER, PERINTALMANNA CO.
OPERATIVE AGRICULTURAL AND RURAL DEVELOPMENT
BANK LTD NO.505, UCHARAKKADAVU MELATTUR.
3. THE SPECIAL SALE OFFICER,
PERINTALMANNA CO.OPERATIVE AGRICULTURAL AND
RURAL DEVELOPMENT BANK LTD. NO.505,
PERINTALMANNA.
4. THE REGISTRAR OF CO.OPERATIVE
SOCIETIES, THIRUVANANTHAPURAM.

BY ADV. SRI.R.RAJESH KORMATH
SMT.PREETHY KARUNAKARAN
SMT.MEENA.A.
SMT.M.R.MINI
SMT.SANJANA R.NAIR
SRI.V.S.ROBIN
BY GOVT. PLEADER SRI.P.K.RAVIKRISHNAN.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD
ON 04/01/2007, THE COURT ON THE SAME DAY DELIVERED THE
FOLLOWING:

APPENDIX

Petitioner's Exhibits:

EXT.P1 TRUE COPY OF THE SALE DECLARATION DT. 16.3.2005.

EXT.P2 TRUE COPOY OF THE ONE TIME SETTLEMENT SCHEME.

//true copy//

P.S. to Judge.

J.M. JAMES, J.

W.P.(C) No. 13767 of 2005

Dated this the 4th January, 2007.

J U D G M E N T

When the writ petition came up for consideration, the learned Senior Government Pleader submitted that the properties of the writ petitioners had been sold on 3.5.2005. However, the sale is not confirmed. An amount of Rs.2,75,000/= together with future interest are due to the first respondent, Bank.

2. The learned counsel appearing for the writ petitioners submit that they are prepared to pay the amounts in instalments.

3. After hearing both sides, and considering the facts that are placed before me, I direct the writ petitioners to pay the entire amount due to the first respondent, Bank, in five equal monthly instalments, the first instalment to be paid on or before 31.1.2007. The subsequent instalments shall be made on or before the last working day of every succeeding month.

4. In case of any default of the above instalment arrangement, the first respondent shall proceed against the writ petitioners and realise the amount in lump, as per the law.

The writ petition is disposed of as above.

**J.M. JAMES,
JUDGE**

nj.